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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,900	01/07/2004	Susan Jamie Borofsky	1592.028US1	8154

26890 7590 07/23/2008

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EXAMINER
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PYO, MONICA M

ART UNIT	PAPER NUMBER
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2161

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/753,900	<b>Applicant(s)</b> BOROFSKY ET AL.	
	<b>Examiner</b> MONICA M. PYO	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/8/2008 has been entered.

2. Claims 1-14 are currently pending in this application. Claims 1 and 8 are independent claims. In the Amendment filed 5/8/2008, claims 1 and 8 are amended, and claims 15-21 are cancelled. Claims 1-14 are rejected.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-10 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0103017 by Reed et al. (hereinafter Reed) in view of U.S. Patent No. 6,151,584 issued to Papierniak et al. (hereinafter Papierniak), and further in view of U.S. Patent No. 5,966,695 issued to Melchione et al. (hereinafter Melchione).

Regarding Claims 1 and 8, Reed discloses a method for custom query generation, comprising:

**A). receiving a query in a segmentation tool, as a query (Reed: pg. 3, [0027-0028 & 0030]; pg. 4, [0041]),**

**B). receiving a key selection and a table selection for the query, wherein the key and table selections are associated with data elements of a customer hierarchy that is mapped within the segmentation tool to different data sources, as the txn\_table and the behavior\_segment (Reed: pg. 3, [0029]);**

**C). modifying the query using the key and table selections to link results of the query to selective data elements of the customer hierarchy associated with the different data sources, as the txn\_table and the cust\_id (Reed: pg. 3, [0030]); and**

**D). generating a custom query based on the query and the modifications, wherein when the custom query is executed within the segmentation tool a customer segment for a marketing campaign is generated by querying the data source with the query to get the results and then by querying the mapped and different data sources with the modifications, the modifications use the key and table selections, to acquire the selective data elements from the customer hierarchy in order to produce the customer segment, as the Prospect Analytic Record when the targeted consumers are not current customers and as the txn\_table and the cust\_id (Reed: pg. 3, [0030, 0031, 0035], pg. 4, [0043]).**

Reed does not explicitly disclose:

**A). a request within a segmentation tool, wherein the query is directed to one or more data sources that are not mapped in the segmentation tool, and wherein metadata and data elements of data tables associated with the one or more data sources are unknown to the segmentation tool, unavailable, and unrecognized by query interfaces used by the**

**segmentation tool, and wherein the query is received via an option of the segmentation tool that permits a custom query that is the query to process via a custom query interface even when the metadata is not loaded in the segmentation tool**

**B)C)/D). its method with data elements from a customer hierarchy;**

**D). its method generating a marketing campaign by querying the unmapped data sources with the query to get the results.**

However, Papierniak disclose:

**A). within a segmentation tool (i.e., Data Discoverer), wherein the query is directed to one or more data sources (i.e., customer information and business rules) that are not mapped in the segmentation tool, and wherein metadata (i.e., metadata) and data elements of data tables associated with the one or more data sources are unknown to the segmentation tool, unavailable, and unrecognized by query interfaces used by the segmentation tool, as a user tool to enable customers and service practitioners to conduct the data discovery process in a more efficient manner (Papierniak: col. 17, lns. 6-22; col. 19, lns. 26-col. 20, lns. 29; figs. 9 & 13; in view of fig 13, the Data Discoverer [360] shows a functionality of collecting and discovering information which were not specifically designated during the 'discovery' process by the [Data Discoverer]), and wherein the query is received via an option of the segmentation tool that permits a custom query that is the query to process via a custom query interface even when the metadata is not loaded (i.e., hidden knowledge) in the segmentation tool, as the Data Mining tools enable the present invention to discover hidden knowledge from existing data (Papierniak: col. 18, lns. 20-col. 19, lns. 4);**

**D). its method generating a marketing campaign by querying the unmapped data sources with the query to get the results,** as to the process of discovering previously unknown, but potentially useful relationships between different types of data target marketing campaign using analytical methods based on customer and market data (Papierniak: col. 8, lns. 25-40; col. 17, lns. 34-58).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Reed with the teachings of Papierniak to utilize the method to discover data from various of resources with the motivation to enhance data mining techniques augmented with networking elements and web technologies (Papierniak: col. 3, lns. 63-col. 4, lns. 9).

Although Papierniak teaches the customer structure, as a customer hierarchy (Papierniak: col. 9, lns. 4-43), Reed and Papierniak both do not explicitly disclose:

**B)/C)/D). its method with data elements from a customer hierarchy.**

However, Melchione discloses:

**B)/C)/D). its method with data elements from a customer hierarchy,** as a three-tier-hierarchy with households, customers, and accounts which are linked via account levels per customer(s) (Melchione: col. 10, lns. 66-col. 11, lns. 27);

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Reed and Papierniak with the teachings of Melchione to utilize the customer hierarchy with the motivation to enhance a customer database with records hierarchy (Melchione: col. 1, lns. 60-65).

Regarding Claims 2 and 12, Reed and Papierniak and Melchione disclose the method wherein receiving the query further includes importing a file that includes at least a portion of the query into a segmentation query-build interface (Reed: pg. 3, [0028]; pg. 4, [0041]) and (Melchione: col. 10, lns. 53-62).

Regarding Claim 4, Reed and Papierniak and Melchione disclose the method wherein the receiving the query further includes receiving at least a portion of the query from a paste operation into a segmentation query-build interface (Reed: pg. 3, [0028]; pg. 4, [0041]) and (Melchione: col. 20, lns. 21-34).

Regarding Claims 5 and 13, Reed and Papierniak and Melchione disclose the method further comprising associating a unique identifier with the custom query, wherein the unique identifier is used to save and recall the custom query for subsequent use (Melchione: col. 24, lns. 42-57) and (Reed: pg. 4, [0041]).

Regarding Claim 6, Reed and Papierniak and Melchione disclose the method further comprising receiving a command to execute the custom query from within the segmentation tool (Reed: pg. 3, [0028, 0029]) and (Melchione: col. 13, lns. 44-47).

Regarding Claim 7, Reed and Papierniak and Melchione disclose the method further comprising mapping data elements associated with the custom query to the segmentation tool for subsequent uses (Melchione: col. 24, lns. 42-57) and (Reed: pg. 4, [0041]).

Regarding Claim 9, Reed and Papierniak and Melchione disclose the system wherein the segmentation tool includes a query selection interface having at least two options, a first option for selecting queries associated with mapped tables, and a second option for selecting the custom query interface for generating the custom queries (Reed: pg. 3, [0028]) and (Melchione: col. 10, lns. 53-62; col. 13, lns. 16-26; col. 15, lns. 58-67).

Regarding Claim 10, Reed and Papierniak and Melchione disclose the system wherein the custom queries are written in SQL syntax (Reed: pg. 3, [0029-0030]).

Regarding Claim 14, Reed and Papierniak and Melchione disclose the system wherein the custom query interface includes an option that displays documentation and other metadata about the custom queries (Reed: pg. 3, [0028]) and (Papierniak: col. 17, lns. 34-58) and (Melchione: col. 32, lns. 15-23).

5. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed in view of Papierniak, further in view of Melchione as applied to claims 1-2, 4-10 and 12-14 above, and further in view of U.S. Patent Application Publication No. 2003/0220917 by Copperman et al. (hereinafter Copperman).



Regarding Claims 3 and 11, Reed and Papierniak and Melchione disclose the method wherein interacting with a segmentation query-build interface (Reed: pg. 3, [0028]).

Reed and Papierniak and Melchione do not explicitly disclose:

the method wherein receiving the query further includes interactively receiving at least some portions of the query from a user.

However, Copperman discloses the user interaction and the user's responses, which correspond to disclose the method wherein receiving the query further includes interactively receiving at least some portions of the query from a user (Copperman: pg. 4, [0034]).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Reed and Papierniak and Melchione with the teachings of Copperman to utilize the user's response by interaction with the motivation to enhance making a proper decisions by allowing a user to enhance the query method within the CRM system (Copperman: pg. 1, [0006]).

### ***Response to Arguments***

6. Applicant's arguments filed 5/8/2008 have been fully considered but they are not persuasive.

As stated in the rejection above, Papierniak clearly discloses in col. 18, lines 20-col. 19, lines 4 the feature the the Data Mining tools enable to disclose hidden knowledge from existing data. Thus, the teachings of Papierniak reads on the claimed limitation of query processing even when the metadata is not loaded.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192. The examiner can normally be reached on Mon & Thur 7:00 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo  
Examiner  
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Supervisory Patent Examiner, Art Unit 2161